

## The Daily Bulletin: 2023-06-29

### PUBLIC/HOUSE BILLS

H 190 (2023-2024) [DEPT. OF HEALTH AND HUMAN SERVICES REVISIONS.-AB](#) Filed Feb 23 2023, *AN ACT MAKING TECHNICAL, CONFORMING, AND OTHER MODIFICATIONS TO LAWS PERTAINING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO SESSION LAW 2023-14.*

AN ACT MAKING TECHNICAL, CONFORMING, AND OTHER MODIFICATIONS TO LAWS PERTAINING TO THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND TO MAKE TECHNICAL AND CONFORMING CHANGES TO SESSION LAW 2023-14. SL 2023-65. Enacted June 29, 2023. Section 9.1 is effective October 1, 2023. Section 11.1, Section 11.2, and Section 11.2A are effective March 1, 2024. Section 11.3 of this act is effective March 1, 2025. Section 12.2 is effective January 1, 2024. Section 13A.1, 13B.1 and 14.1 are effective July 1, 2023. Remainder is effective June 29, 2023.

**Intro. by Potts.**

[GS 7B](#), [GS 14](#), [GS 90](#), [GS 90A](#), [GS 108A](#), [GS 110](#), [GS 111](#), [GS 115C](#), [GS 116](#), [GS 122C](#), [GS 126](#), [GS 130A](#), [GS 131D](#), [GS 131E](#), [GS 143](#), [GS 143B](#)

[View summary](#)

[Business and Commerce](#), [Occupational Licensing](#), [Courts/Judiciary](#), [Civil](#), [Family Law](#), [Juvenile Law](#), [Abuse](#), [Neglect and Dependency](#), [Education](#), [Government](#), [State Agencies](#), [Department of Health and Human Services](#), [State Government](#), [State Personnel](#), [Local Government](#), [Health and Human Services](#), [Health](#), [Health Care Facilities and Providers](#), [Public Health](#), [Mental Health](#), [Social Services](#), [Adult Services](#), [Child Welfare](#)

H 193 (2023-2024) [AOC CT CHANGES/AMD EXPUNCTION \(NEW\)](#). Filed Feb 23 2023, *AN ACT TO MAKE VARIOUS CHANGES AND TECHNICAL CORRECTIONS TO THE LAWS GOVERNING THE ADMINISTRATION OF JUSTICE, AS RECOMMENDED BY THE ADMINISTRATIVE OFFICE OF THE COURTS AND TO ALLOW FOR THE EXPUNCTION OF THE OFFENSE OF BREAKING AND ENTERING OF A BUILDING WITH INTENT TO COMMIT A FELONY OR LARCENY AND AMEND THE CONDITIONS THAT RESULT IN A PETITION FOR EXPUNCTION BEING DENIED.*

Senate amendment to the 3rd edition makes the following changes.

Adds a section to the act that extends the expiration of Section 1 of SL 2022-47 from August 1, 2023, to July 1, 2024. Section 1 prohibits dismissed charges and not guilty verdicts from being expunged by operation of law and requires the Administrative Office of the Courts (AOC) to cease all procedures related to automatic expunction of dismissed charges, not guilty verdicts, and findings of not responsible. Also requires AOC to keep records of any dismissed charges, not guilty verdicts, and findings of not responsible that, except for this provision, would have been automatically expunged in a way that allows those cases to be automatically expunged when this section expires.

**Intro. by Stevens.**

[GS 1](#), [GS 1A](#), [GS 7A](#), [GS 9](#), [GS 15](#), [GS 58](#), [GS 84](#), [GS 122C](#), [GS 162](#)

[View summary](#)

[Courts/Judiciary](#), [Juvenile Law](#), [Abuse](#), [Neglect and Dependency](#), [Court System](#), [Administrative Office of the Courts](#), [Criminal Justice](#), [Corrections \(Sentencing/Probation\)](#),

H 201 (2023-2024) [RETIREMENT ADMIN CHANGES ACT OF 2023.-AB \(NEW\)](#) Filed Feb 23 2023, *AN ACT MAKING ADMINISTRATIVE AND CONFORMING CHANGES TO THE LAWS GOVERNING THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, LEGISLATIVE RETIREMENT SYSTEM, CONSOLIDATED JUDICIAL RETIREMENT SYSTEM, THE DISABILITY INCOME PLAN, AND TO OTHER RELATED STATUTES, AS RECOMMENDED BY THE DEPARTMENT OF STATE TREASURER.*

Senate amendment to the 2nd edition makes the following changes.

Part VIII.

Amends the second listed condition in GS 128-31(c1) (Local Government Retirement System [LGERS] exemptions from execution and offset of amounts owed by beneficiary) and GS 135-9 (c1) (Teachers and State Employees' Retirement System [TSERS] exemptions from garnishment, attachment and offset of amounts owed by member of beneficiary) to now require that in cases of an overpayment of benefits entirely due to administrative error on the part of LGERS/TSERS, it will be deemed to satisfy its duty to pursue repayment of the overpayment if it offsets any recurring monthly benefit for periods coincident with or following the determination of the overpayment by no more than 25% but not less than 8.5% (was, not less than 25%) of the monthly benefit as computed after payment deductions or by offsetting the amount of the overpayment in two fewer monthly benefit payments when the overpayment amount is less than \$500.

**Intro. by Carson Smith.**

[GS 120, GS 128, GS 135](#)

[View summary](#)

**Courts/Judiciary, Court System, Government, General Assembly, State Agencies, Department of State Treasurer, State Government, State Personnel, Local Government**

H 219 (2023-2024) [CHARTER SCHOOL OMNIBUS](#). Filed Feb 28 2023, *AN ACT TO MAKE VARIOUS CHANGES TO THE LAWS AFFECTING CHARTER SCHOOLS.*

Senate amendment to the 4th edition makes the following changes.

Adds a Part to the act repealing Section 2 of H 618 (Charter School Review Board) if that act becomes law. Section 2 provides that current members of the Charter Schools Advisory Board serve as initial members of the Charter Schools Review Board and sets out terms upon the expiration of the current terms of Charter School Review Board members. If H 618 becomes law, amends the future terms of the Review Board members set out in the specified appointment procedure for those with terms that expire in 2025 (was, 2023) and specifies that those appointees are to serve two-year terms. Effective on the date that H 618 becomes law. Makes conforming organizational changes.

**Intro. by Torbett, Bradford, Willis, Saine.**

[GS 115C, GS 153A](#)

[View summary](#)

**Education, Elementary and Secondary Education, Government, State Agencies, State Board of Education, Local Government**

S 176 (2023-2024) [CONSUM. IN CRISIS PROTECT. ACT./ESOPs MIN. BUS. \(NEW\)](#) Filed Feb 28 2023, *AN ACT TO ENACT THE CONSUMERS IN CRISIS PROTECTION ACT AND TO EXPAND THE DEFINITIONS OF MINORITY BUSINESS AND HISTORICALLY UNDERUTILIZED BUSINESS FOR PURPOSES OF PUBLIC CONTRACTS TO INCLUDE ESOP COMPANIES WITH MAJORITY OWNERSHIP BY MINORITY PERSONS OR SOCIALLY AND ECONOMICALLY DISADVANTAGED INDIVIDUALS.*

Senate amendments to the 4th edition make the following changes.

Senate amendment #1 makes the following changes.

Part I.

Amends the required acknowledgment/disclosures in GS 58-94-30 (content of a consumer legal funding contract) to now have the consumer-signatory acknowledge that their attorney in the legal claim is not obligated to provide any tax, public, or private benefit planning, or financial advice regarding this transaction (was, acknowledgment that the attorney in the legal claim has not provided any such advice). Makes conforming changes.

Senate amendment #2 makes the following changes.

Part II.

Amends GS 143-128.4 (definition of *historically underutilized business*) to require that an Employee Stock Ownership Company (ESOP) applying for a certification as a historically underutilized business provide an attestation that it meets the statute's requirements along with supporting documentation required by the Secretary of Administration.

Senate amendment #3 to the 4th edition makes the following changes.

Part I.

Amends new GS 58-94-5 (definitions section of the Consumers in Crisis Protection Act) to provide that the definition of *legal claim* is a civil claim or cause of action filed in a court of law in State or federal court. Amends the definition of *net proceeds* to change the second listed prong of what is subtracted from the amount recovered to now be valid health care provider liens, subrogation liens, and ERISA contractual rights of recovery (was, attorney, health care provider, or subrogation liens).

Amends GS 58-94-30 to require that a copy of the contract be promptly delivered to the consumer's attorney (was, prompt delivery upon request). Makes conforming change to GS 58-94-40 (prohibited acts). Amends the required acknowledgements that the consumer-signatory must acknowledge in signing the contract by expanding the listing of the types of liens that take priority over any contractual claim of the consumer legal funding company.

**Intro. by Johnson, Britt, Craven.**

[GS 58, GS 143](#)

[View summary](#)

**[Business and Commerce, Consumer Protection, Courts/Judiciary, Government, State Agencies, Department of Insurance](#)**

S 754 (2023-2024) [GENERAL ASSEMBLY APPOINTMENTS](#). Filed Jun 27 2023, *AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE.*

Senate amendments to the 1st edition make the following changes.

Amendment #2 adds the following additional recommendation to the President Pro Tempore's list of recommended appointments, effective September 1, 2023: Alexandra B. Hoskins of Forsyth County to the NC Professional Educator Preparation and Standards Commission for a term expiring August 31, 2025.

Amendment #3 adds the following additional recommendation to the President Pro Tempore's list of recommended appointments, effective July 1, 2024: Dr. Sean Tikkun of Durham County to the Board of Trustees for the Governor Morehead School for the Blind for a term expiring June 30, 2026.

**Intro. by Rabon.**

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**Business and Commerce, Occupational Licensing,  
Government, General Assembly, State Government, Executive**

## LOCAL/HOUSE BILLS

H 57 (2023-2024) **HARMONY/LOVE VALLEY ELECTION CHANGES. (NEW)** Filed Feb 6 2023, *AN ACT TO PROVIDE FOR EVEN-YEAR ELECTIONS AND TO EXTEND THE TERMS OF ELECTED OFFICERS IN THE TOWNS OF HARMONY AND LOVE VALLEY.*

House amendment to the 2nd edition makes the following changes.

Part I.

Removes the provision that would have allowed the City of Hendersonville to use the proceeds from parking meters on public streets to fund any capital project.

Makes conforming changes to the act's titles.

**Intro. by Balkcom.**

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[View summary](#)

**Government, Elections, Local Government, Transportation**

## ACTIONS ON BILLS

## PUBLIC BILLS

**H 125: NC HEALTH & HUMAN SERVICES WORKFORCE ACT (NEW).**

*House: Cal Pursuant 36(b)*

*House: Placed On Cal For 07/12/2023*

**H 132: GOVT. AGENCIES/DELIVERY OF PERMITS.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**H 173: TREASURY ADMINISTRATIVE CHANGES ACT.-AB**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 181: UNCLAIMED PROPERTY DIVISION CHANGES.-AB**

*House: Ratified*

**H 190: DEPT. OF HEALTH AND HUMAN SERVICES REVISIONS.-AB**

*House: Signed by Gov. 6/29/2023*

*House: Ch. SL 2023-65*

**H 193: AOC CT CHANGES/AMD EXPUNCTION (NEW).**

*Senate: Reptd Fav*  
*Senate: Placed on Today's Calendar*  
*Senate: Amend Adopted A1*  
*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Senate: Engrossed*  
*Senate: Special Message Sent To House*  
*House: Special Message Received For Concurrence in S Com Sub*  
*House: Cal Pursuant 36(b)*  
*House: Placed On Cal For 07/12/2023*

**H 197: BROADBAND CHANGES/DIT.-AB**

*House: Regular Message Sent To Senate*  
*Senate: Regular Message Received From House*  
*Senate: Passed 1st Reading*  
*Senate: Ref To Com On Rules and Operations of the Senate*

**H 201: RETIREMENT ADMIN CHANGES ACT OF 2023.-AB (NEW)**

*Senate: Amend Adopted A1*  
*Senate: Passed 3rd Reading*  
*Senate: Special Message Sent To House*  
*House: Special Message Received For Concurrence in S Amend*  
*House: Cal Pursuant 36(b)*  
*House: Placed On Cal For 07/12/2023*

**H 203: DST TECHNICAL CORRECTIONS.-AB**

*House: Ratified*

**H 219: CHARTER SCHOOL OMNIBUS.**

*Senate: Amend Adopted A2*  
*Senate: Amend Failed A1*  
*Senate: Amend Tabled A3*  
*Senate: Amend Tabled A4*  
*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Senate: Engrossed*  
*Senate: Special Message Sent To House*  
*House: Special Message Received For Concurrence in S Com Sub*  
*House: Cal Pursuant 36(b)*  
*House: Placed On Cal For 07/12/2023*

**H 323: RETAIN ADULT DEVEL. VOC. REHAB. PROGRAMS. (NEW)**

*Senate: Passed 2nd Reading*  
*Senate: Ref To Com On Rules and Operations of the Senate*

**H 378: FIREFIGHTERS CRIMINAL HISTORY RECORD CHECKS.**

*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Senate: Special Message Sent To House*  
*House: Special Message Received For Concurrence in S Com Sub*  
*House: Cal Pursuant 36(b)*  
*House: Placed On Cal For 07/12/2023*

**H 387: MEDAL OF VALOR AWARD FOR FIRST RESPONDERS. (NEW)**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 447: CLARIFY MOTOR VEHICLE DEALER LAWS.**

*House: Cal Pursuant 36(b)*

*House: Placed On Cal For 07/12/2023*

**H 484: MENTAL HEALTH CONFIDENTIAL INFO. DISCLOSURE.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 579: SEDIMENTATION ACT & OTHER ENV'L. CHANGES. (NEW)**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**H 600: REGULATORY REFORM ACT OF 2023.**

*House: Cal Pursuant 36(b)*

*House: Placed On Cal For 07/12/2023*

**H 628: AMEND ON-SITE WASTEWATER/ENVIRONMENT STATUTES.**

*House: Ratified*

**H 674: CHILD ADVOCACY CENTERS/SHARE INFORMATION.**

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Ordered Enrolled*

**H 721: STATE PRECIOUS METALS DEPOSITORY STUDY.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**H 741: MODIFY/NONPROFITS & CHARITABLE SOLICITATION.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**H 782: CODE EXEMPTION FOR TEMP. MOVIE SETS.**

*House: Ratified*

**H 808: GENDER TRANSITION/MINORS. (NEW)**

*House: Ratified*

**H 814: EMERGENCY MANAGEMENT MODS.**

*House: Ratified*

**H 815: THE LOVING HOMES ACT.**

*House: Pres. To Gov. 6/29/2023*

**H 850: LICENSING BOARD/CONTRACTORS & INSPECTORS.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**H 852: THE REP. BECKY CARNEY CARDIAC ARREST ACT.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received From House*

*Senate: Passed 1st Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 45: CADC SUPERVISION REQUIREMENTS.**

*Senate: Ratified*

**S 49: PARENTS' BILL OF RIGHTS.**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received For Concurrence in H Com Sub*

*Senate: Ref To Com On Rules and Operations of the Senate*

*Senate: Withdrawn From Com*

*Senate: Placed on Today's Calendar*

*Senate: Concurred In H Com Sub*

*Senate: Ordered Enrolled*

**S 91: AMEND RULE 4/ACCEPTANCE OF SERVICE.**

*Senate: Special Message Received For Concurrence in H Com Sub*

*Senate: Ref To Com On Rules and Operations of the Senate*

*Senate: Withdrawn From Com*

*Senate: Placed on Today's Calendar*

*Senate: Concurred In H Com Sub*

*Senate: Ordered Enrolled*

**S 135: REGISTERED VET. TECH. MODIFICATION.**

*Senate: Ratified*

**S 171: DEPARTMENT OF PUBLIC SAFETY AGENCY BILL.-AB**

*Senate: Pres. To Gov. 6/29/2023*

**S 176: CONSUM. IN CRISIS PROTECT. ACT./ESOPs MIN. BUS. (NEW)**

*Senate: Amend Adopted A1*

*Senate: Amend Adopted A2*

*Senate: Amend Adopted A3*

*Senate: Passed 2nd Reading*

*Senate: Ref To Com On Rules and Operations of the Senate*

**S 195: UNC OMNIBUS.**

*Senate: Conf Report Adopted*

*Senate: Ordered Enrolled*

**S 389: PARENT CONSENT TO DONATE BLOOD/TECH CORRECT. (NEW)**

*Senate: Pres. To Gov. 6/29/2023*

**S 409: INCREASE PUNISHMENT FOR CARGO THEFT.**

*House: Withdrawn From Com*

*House: Re-ref to the Com on Judiciary 3, if favorable, Rules, Calendar, and Operations of the House*

**S 452: NC DEPARTMENT OF INSURANCE OMNIBUS .-AB**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received For Concurrence in H Com Sub*

*Senate: Ref To Com On Rules and Operations of the Senate*

*Senate: Withdrawn From Com*

*Senate: Placed on Today's Calendar*

*Senate: Failed Concur In H Com Sub*

**S 492: MODIFY PROVISIONS AFFECTING ADULT CORRECTION.-AB**

*House: Withdrawn From Com*

*House: Re-ref to the Com on Judiciary 3, if favorable, Rules, Calendar, and Operations of the House*

**S 507: CHIROPRACTIC PRECEPTORSHIP MODIFICATIONS.**

*Senate: Ratified*

**S 615: ADOPTION/CONFLICT OF INT/GUARD AD LITEM CHANGES. (NEW)**

*House: Regular Message Sent To Senate*

*Senate: Regular Message Received For Concurrence in H Com Sub*

*Senate: Ref To Com On Rules and Operations of the Senate*

*Senate: Withdrawn From Com*

*Senate: Placed on Today's Calendar*

*Senate: Failed Concur In H Com Sub*

**S 722: CHILD CARE FLEXIBILITIES.**

*Senate: Ratified*

**S 754: GENERAL ASSEMBLY APPOINTMENTS.**

*Senate: Amend Adopted A2*

*Senate: Amend Failed A1*

*Senate: Amend Adopted A3*

*Senate: Passed 3rd Reading*

*Senate: Engrossed*

*Senate: Special Message Sent To House*

*House: Special Message Received From Senate*

*House: Passed 1st Reading*

*House: Ref To Com On Rules, Calendar, and Operations of the House*

**LOCAL BILLS**

**H 5: FUQUAY-VARINA/CLEMMONS DEANNEXATIONS. (NEW)**

*Senate: Passed 3rd Reading*

*Senate: Special Message Sent To House*

*House: Special Message Received For Concurrence in S Com Sub*

*House: Ruled Material*

*House: Cal Pursuant 36(b)*

*House: Placed On Cal For 07/12/2023*

**H 57: HARMONY/LOVE VALLEY ELECTION CHANGES. (NEW)**

*Senate: Amend Adopted A1*

*Senate: Passed 2nd Reading*

*Senate: Passed 3rd Reading*

*Senate: Engrossed*

*Senate: Amend Adopted A1*



*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Senate: Engrossed*  
*Senate: Special Message Sent To House*  
*House: Special Message Received For Concurrence in S Com Sub*  
*House: Cal Pursuant 36(b)*  
*House: Placed On Cal For 07/12/2023*

**H 78: TOWN OF OAK ISLAND/PARKING PROCEEDS. (NEW)**

*Senate: Passed 3rd Reading*  
*Senate: Ordered Enrolled*

**H 184: MAGGIE VALLEY DEV. AUTH. (NEW)**

*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Senate: Special Message Sent To House*  
*House: Special Message Received For Concurrence in S Com Sub*  
*House: Cal Pursuant 36(b)*  
*House: Placed On Cal For 07/12/2023*

**H 267: HOLLY SPRINGS DEANNEX/LELAND ANNEX MORATORIUM. (NEW)**

*Senate: Passed 3rd Reading*  
*Senate: Special Message Sent To House*  
*House: Special Message Received For Concurrence in S Com Sub*  
*House: Cal Pursuant 36(b)*  
*House: Placed On Cal For 07/12/2023*

**H 397: TOWN OF LAKE LURE/PROPERTY LEASE.**

*Senate: Passed 2nd Reading*  
*Senate: Passed 3rd Reading*  
*Senate: Special Message Sent To House*  
*House: Special Message Received For Concurrence in S Com Sub*  
*House: Cal Pursuant 36(b)*  
*House: Placed On Cal For 07/12/2023*

**H 419: YOUNGSVILLE CHARTER REVISED & CONSOLIDATED.**

*Senate: Passed 3rd Reading*  
*Senate: Ordered Enrolled*

**H 438: FRANKLIN/GRANVILLE RECOGNIZED COMMON BOUNDARY.**

*House: Regular Message Sent To Senate*  
*Senate: Regular Message Received From House*  
*Senate: Passed 1st Reading*  
*Senate: Ref To Com On Rules and Operations of the Senate*

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